

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
AMERICAN STEAMSHIP OWNERS :  
MUTUAL PROTECTION AND :  
INDEMNITY ASSOCIATION, INC., :

Plaintiff, :

- against - :

ALCOA STEAMSHIP CO., INC., et al., :

Defendants. :  
-----X

04 Civ. 04309 (LAK)(JCF)

**ORDER OF PARTIAL  
DISMISSAL WITHOUT PREJUDICE**

~~WHEREAS defendant Paco Tankers Inc. was listed as a party responding under the name  
Keystone Shipping Co. on an Answer and Amended Answer filed herein in October 2004 and  
February 2005 respectively, and,~~

~~WHEREAS in February 2008 counsel for defendant Keystone advised plaintiff's counsel  
that they had not intended to answer for Paco Tankers Inc., and~~

WHEREAS plaintiff has applied for an order dismissing all claims and counterclaims in  
respect of Paco Tankers Inc. herein on a without prejudice basis, such that the plaintiff American  
Steamship Owners Mutual Protection and Indemnity Association, Inc. (the "Club") may renew  
this action if and when Paco Tankers Inc. ever seeks reimbursement from the Club for  
occupational disease claims.

NOW, THEREFORE, IT IS HEREBY ORDERED

<b>USDS SDNY</b>
<b>DOCUMENT</b>
<b>ELECTRONICALLY FILED</b>
DOC #: _____
DATE FILED: <u>2/28/08</u>

That all claims and counterclaims asserted herein in respect of Paco Tankers Inc. are dismissed without prejudice to the Club's right to reopen this matter if Paco Tankers Inc. ever submits to the Club for indemnity occupational disease claims.

Dated: New York, New York  
February 27, 2008

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan", written over a horizontal line.

Hon. Lewis A. Kaplan  
U.S.D.J.